

The Art of Trial Advocacy
10 Mistakes No Trial Lawyer Should Make

Stephen A. Saltzburg
Wallace and Beverley Woodbury University Professor
The George Washington University Law School

1. Failing to Make the Opening Statement an Argument
2. Raising Inconsistent Claims or Defenses; Arguing Against Yourself
3. Letting Witnesses Do the Work on Direct Examination
Improper Corroboration and Bolstering
4. Attacking Credibility Unsuccessfully
5. Appealing to the Judge for Help with a Nonresponsive Witness
6. Defense Counsel Stipulating that the Plaintiff's Witness is an Expert and/or Permitting the Judge to Announce that the Witness is "Qualified"
7. Failing to Understand the Basic Rules of Objecting, Responding and Proffering – Know the Rules of Evidence that Matter
8. Stretching Out Impeachment by Prior Inconsistent Statement and Asking for the Standard Limiting Instruction
9. Failing to Use Demonstrative Evidence
10. Going Over the Top in Closing Argument